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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/590,093

05/04/2007

Kazuhide Yamauchi

TOMI 200013

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7590

07/08/2009

Fay Sharpe LLP

1228 Euclid Avenue, 5th Floor

The Halle Building

Cleveland, OH 44115

EXAMINER

CHERRY, EUNCHA P

ART UNIT

PAPER NUMBER

2872

MAIL DATE

DELIVERY MODE

07/08/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/590,093	<b>Applicant(s)</b> YAMAUCHI ET AL.	
	<b>Examiner</b> EUNCHA P. CHERRY	<b>Art Unit</b> 2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/21/06</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Shioda et al (US 2001/0055062 A1).

Shioda et al discloses multidirectional simultaneous observation optical system (Fig. 1) having at least one of one, two or more side face imaging prism systems (11a, 11b, 12a, 12b) for obtaining side face images of one, two or more side faces of an object to be inspected and a bottom face (see 7) imaging prism system for obtaining a bottom face image, the optical system being characterized in that each of the side face imaging prism systems has an optical path direction changing prism or an optical path direction changing prism function; the prism systems are provided by the side of an open space (see prisms are enclosed in case 16 with open space) for obtaining an image of the top face of the object to be inspected so that the open space is secured right above the object to be inspected,

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and so that an object mount space portion is secured (7 is secured); and the prism systems are placed so that the optical paths for light exiting the prism systems extend upward above the object to be inspected, or along the same direction in parallel with each other, and so that the optical path is not obstructed (see the orientations of the prisms with object), the side face imaging prism systems and the bottom face imaging prism system is provided with an optical path length correcting prism or an optical path length correcting prism function above the optical path direction changing prism or the optical path direction changing prism function, the optical path length correcting prism or the optical path length correcting prism function being provided for the purpose of equalizing the working distance of the faces of the object to be inspected other than the top face of the same to the working distance of the top face (see prisms 11a, 11b, 12a, 12b), characterized in that a  $45^\circ$  mirror prism or a prism having a  $45^\circ$  mirror prism function (see 12a, 12b) is used as the optical path direction changing prism or the optical path direction changing prism function in the side face imaging prism system, and a trapezoidal prism or a triangular prism capable of changing the direction two times or a prism having the corresponding function is used as the optical path direction changing prism or the

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optical path direction changing prism function in the bottom face imaging prism system, further including a lens facing along the optical output direction of the side face imaging prism system (see the lenses shown in figure 1).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNCHA P. CHERRY whose telephone number is 571-272-2310. The examiner can normally be reached on M-F 6:30-4:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/EUNCHA P. CHERRY/  
Primary Examiner  
Art Unit 2872

7/6/09